

### **REMARKS**

Careful consideration has been given to the Official Action of July 24, 2003 and reconsideration of the application as amended is respectfully requested.

The drawings have been objected to under 37 C.F.R. § 1.83(a). Submitted herewith are replacement drawing Figs 1 and 4 which overcome the Examiner's objections. Replacement Fig. 1 is a perspective view of the accessory illustrating the relationship of the clamping members and the leaves according to the specification at, for example, the paragraph bridging pages 7 and 8. The feature of the leaves having a rough or profiled surface is shown at added reference numeral 30. In Fig. 4, the reference numeral "3" has been corrected to "4a". The replacement drawings draw clear support from the specification as filed at, for example, pages 6-8 and Figs. 1-4. Thus, no new matter has been introduced.

The Examiner has objected to claim 22 for making reference to a "liquid container". The basis for this objection is respectfully not understood. It would be clear to one skilled in the art from the specification as filed that the claimed accessory is not limited to use with "beverage" containers. In any event, the objection has been rendered moot by a broadening of the claims to recite simply "a container".

The Examiner has objected to the specification for lacking section headings and containing an incorrect reference numeral in the abstract. In this respect, amendatory action has been taken to insert appropriate section headings, to correct

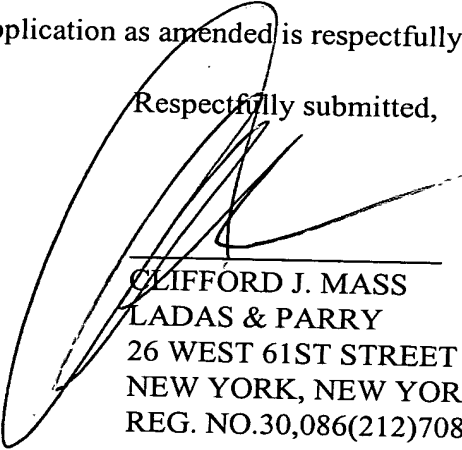
minor grammatical errors, and to delete the incorrect reference numeral from the abstract. In addition, the specification has been amended at page 8, in accordance with the disclosure in original claim 15, to assure correspondence between the specification and claims.

Claims 22-44 were rejected under 35 U.S.C. § 112, first paragraph, for alleged lack of enablement. The Examiner suggests that a new figure of the accessory holder by itself might overcome the rejection. As recommended by the Examiner, Fig. 1 has been replaced by a new drawing of the accessory which clearly shows the relationship of the clamping members. As discussed above, this figure draws clear support from the specification as filed. The replacement figure clearly shows the claimed invention. For example, it illustrates that the leave members 11 and 12 are part of the second clamping member 3 (specification at page 7, line 18), respectively forming the third and fourth clamping members. It also shows that the clamping members can clamp an added object therebetween in a direction substantially perpendicular to the clamping direction between the first and second clamping members as is shown in Fig. 2. The clamping surfaces formed by portions 5 and 6 of the two curved arms 4a and 4b form part of the first clamping member and are available to be pressed against an inner-side of the container (specification at page 6 line 30 - page 7 line 1 and Fig. 2). In view of the above, one of skill in the art would be enabled to practice the invention as claimed from the specification as filed without undue experimentation.

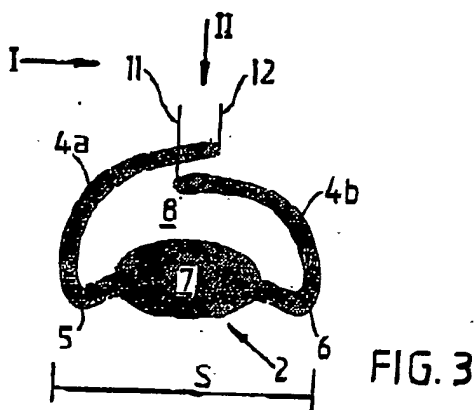
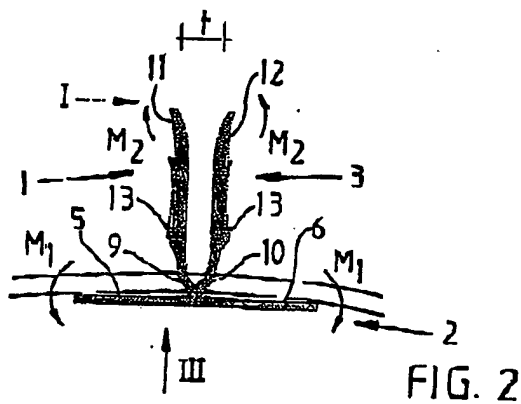
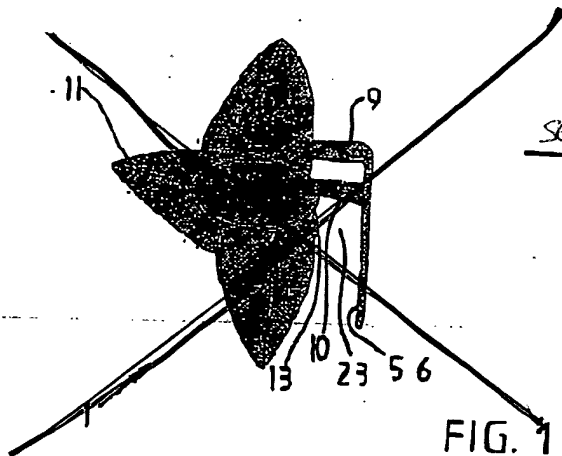
The Examiner rejected claims 26 and 41 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 22-44 have been cancelled and replaced with new claims 45-67 which are free of the informalities noted by the Examiner and are otherwise sufficiently definite to satisfy the dictates of 35 USC 112, recitations in the new claims correspond to recitations in the original claims with the recitations in claim 58 being shown, for example, in Fig. 2 of the drawings.

In view of the above action and comments, it is respectfully submitted that all objections and rejections of record have been successfully traversed. An early and favorable reconsideration of the application as amended is respectfully requested.

Respectfully submitted,



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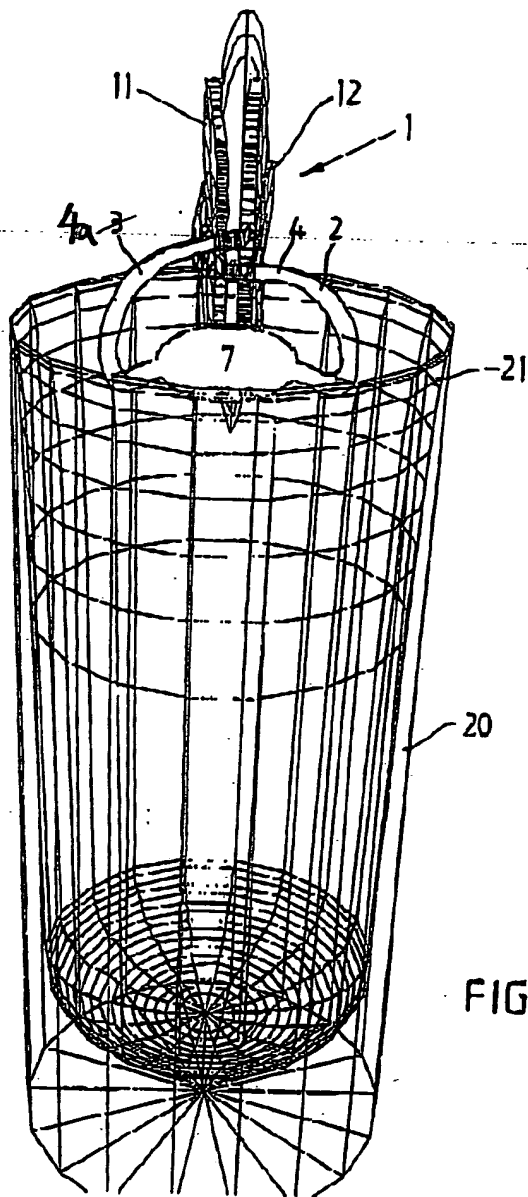


FIG. 4